

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC 43F .0101-.1012 – Children’s Special Health Services

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-124

**Impact Summary:** *De Minimis*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RMIP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC 43F .0101-.1012 – Children’s Special Health Services.

**Background**

The Children’s Special Health Services program is no longer administered by the Division of Public Health. The medical services previously reimbursed by CSHS funding are now covered under Medicaid and Health Choice coverage within the EPSTD program. As described in the attached memorandum, State funding for the remaining services that had not been covered under Medicaid/Health Choice was cut in 2008 and has not been subsequently restored. Services previously funded by CSHS are covered under EPSTD.

Please refer to the attached Memorandum announcing the change in coverage.

**Fiscal Impact**

There is no estimated impact to local or state agencies or to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

10A NCAC 43F. 0101 - .1012 are proposed to be repealed as follows:

**SUBCHAPTER 43F - CHILDREN'S SPECIAL HEALTH SERVICES:  
CHILDREN AND YOUTH SECTION**

**SECTION .0100 - GENERAL PROVISIONS**

**10A NCAC 43F .0101 PURPOSE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0102 DEFINITIONS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0201 REFERRAL AND FOLLOW-UP**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0202 RELEASE OF MEDICAL INFORMATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0203 OUT-OF-STATE CARE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0204 SPONSORED CLINICS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0205 PARTICIPATING PHYSICIANS, ORTHODONTISTS AND  
PROSTHODONTISTS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0206 NEW CLINIC DIRECTORS AND NEW CLINICS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0207 SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS**

*History Note: Authority G.S. 130A-124.*

**SECTION .0300 - ELIGIBILITY**

**10A NCAC 43F .0301 DETERMINATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0302 AGE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0303 MEDICAL CONDITIONS SUPPORTED BY THE PROGRAM**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0304 MEDICAL CONDITIONS OR PROCEDURES NOT SUPPORTED**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0305 APPEALS PROCEDURE CONCERNING ELIGIBILITY**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0401 CLINIC SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0402 OTHER OUTPATIENT SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0403 HOSPITALS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0404 HOSPITALIZATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0405 SPECIAL THERAPY**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0406 ORTHODONTIC AND PROSTHODONTIC DENTAL CARE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0407 APPLIANCES AND EQUIPMENT**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0408 DRUGS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0409 BLOOD**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0410 STAFF CONSULTANT AND ADVISORY SERVICES**

*History Note: Authority G.S. 130A-124.*

**SECTION .0500 - AUTHORIZATION AND BILLING PROCEDURES**

**10A NCAC 43F .0501 AUTHORIZATION POLICIES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0502 SERVICE AUTHORIZATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0503 CANCELLATIONS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0504 SPECIAL THERAPY REQUESTS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0505 BILLING POLICIES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0506 PHYSICIANS' BILLING POLICIES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0507 OTHER PROFESSIONAL SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0508 CLINIC CHARGES AND OUTPATIENT CHARGES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0509 CLERICAL CHARGES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0510 AUTHORIZED HOSPITALIZATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0511 AUTHORIZED APPLIANCES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0512 AUTHORIZED DRUGS FOR OUTPATIENTS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0513 REIMBURSEMENT RATES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0514 APPEALS PROCEDURE**

*History Note: Authority G.S. 130A-124.*

**SECTION .0600 - FORMS**

**10A NCAC 43F .0601 REQUESTS FOR FORMS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0602 REQUEST FORM FOR COST SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0603 FINANCIAL ELIGIBILITY FORM**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0604 FORMS FOR DENIAL OF REQUESTS FOR SERVICE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0605 CLINIC NOTES FORM**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0606 CLINIC RECORD**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0607 CLERICAL SERVICES**

*History Note: Authority G.S. 130A-124.*

**SECTION .0700 - ROSTERS**

**10A NCAC 43F .0701 QUALIFICATIONS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0702 FURTHER INFORMATION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0703 APPEALS PROCEDURE**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0704 ADMINISTRATIVE REQUIREMENTS**

*History Note: Authority G.S. 130A-124.  
Eff. June 1, 1989.  
Amended Eff. September 1, 1990.*

**10A NCAC 43F .0801 GENERAL PROVISION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0802 REQUIREMENTS FOR THE ADOPTIVE CHILD**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0803 RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 43F .0804 APPLICATION FOR COVERAGE AFTER ADOPTION**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .0901 AGREEMENT WITH VOCATIONAL REHABILITATION**

*History Note: Authority G.S. 130A-124.*

**SECTION .1000 - CHILDREN'S SPECIAL HEALTH CONTRACT FUNDS**

**10A NCAC 43F .1001 OUTPATIENT CLINIC SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1002 DEFINITIONS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1003 PROVIDER ELIGIBILITY**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1004 CLIENT ELIGIBILITY**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1005 SCOPE OF SERVICES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1006 ALLOCATION OF FUNDS: CONTRACT**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1007 REPORTING REQUIREMENTS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1008 CLIENT AND THIRD PARTY FEES**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1009 APPLICATION FOR FUNDS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1010 BUDGETING OF GRANT FUNDS**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1011 ANNUAL PLAN**

*History Note: Authority G.S. 130A-124.*

**10A NCAC 43F .1012 RENEWAL OF GRANT FUNDS**

*History Note: Authority G.S. 130A-124.*

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC 39A.0201 - .0211 Home Health Services Program.

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-223

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC 39A.0201 - .0211 Home Health Services Program.

**Background**

The Home Health Services Program no longer exists as an operational or funded program within the Division of Public Health.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).



**Fiscal Impact:**  
Proposed for Repeal  
**10A NCAC 43D.1200 - .1208 - MATERNAL AND CHILD HEALTH BLOCK GRANT NUTRITION PROGRAM**

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-361

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

**The following rules are proposed for repeal as follows: 10A NCAC 43D.1200 - .1208 - MATERNAL AND CHILD HEALTH BLOCK GRANT NUTRITION PROGRAM.**

**Background**

The Maternal and Child Health Block Grant Nutrition Program no longer exists as an operational or funded program within the Division of Public Health

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

**10A NCAC 43D.1200 - .1207 IS PROPOSED FOR REPEAL AS FOLLOWS:**

**SECTION .1200 - MATERNAL AND CHILD HEALTH BLOCK GRANT NUTRITION PROGRAM**

**10A NCAC 43D .1201 GENERAL**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1202 PROVIDER ELIGIBILITY**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1203 ALLOCATION OF FUNDS**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1204 CLIENT ELIGIBILITY**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1205 SCOPE OF SERVICES**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1206 SERVICE PROVIDER QUALIFICATIONS**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**10A NCAC 43D .1207 PAYMENT FOR REIMBURSABLE SERVICES**

*History Note: Authority G.S. 130A-361;  
Eff. October 1, 1993.*

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC 43E.0301 - .0309 PEDIATRIC PRIMARY CARE PROGRAM

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-124

**Impact Summary:** *De Minimis*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC 43E.0301 - .0309 PEDIATRIC PRIMARY CARE PROGRAM.

**Background**

The PEDIATRIC PRIMARY CARE PROGRAM no longer exists as an operational or funded program within the Division of Public Health.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

**SECTION .0300 - PEDIATRIC PRIMARY CARE PROGRAM**

10A NCAC 43E.0301 - .0309 are proposed for repeal as follows:

**10A NCAC 43E .0301 GENERAL**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. December 1, 1990; February 1, 1987.

**10A NCAC 43E .0302 DEFINITIONS**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. December 1, 1990.

**10A NCAC 43E .0303 PROVIDER ELIGIBILITY**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. February 1, 1987.

**10A NCAC 43E .0304 CLIENT ELIGIBILITY**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. August 1, 1987.

**10A NCAC 43E .0305 APPLICATION FOR FUNDS: PROGRAM PLAN: RENEWAL**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. September 1, 1990; February 1, 1987.

**10A NCAC 43E .0306 BUDGETING OF GRANT FUNDS**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985.

**10A NCAC 43E .0307 MEDICAL RECORDS**

*History Note:* Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. September 1, 1990; February 1, 1987.

**10A NCAC 43E .0308 CLIENT AND THIRD PARTY FEES**

*History Note:* Authority G.S. 130A-124; P.L. 95-818;  
Eff. April 1, 1985;  
Amended Eff. April 1, 1987.

**10A NCAC 43E .0309 MONITORING AND EVALUATION**

*History Note: Authority G.S. 130A-124;  
Eff. April 1, 1985;  
Amended Eff. February 1, 1987.*

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC 39A.0201 - .0211 Home Health Services Program.

**Name of Commission:** Commission for Public Health

**Agency Contact:** Marshall Tyson  
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**Authority:** G.S. 130A-223

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC 39A.0201 - .0211 Home Health Services Program.

**Background**

The Home Health Services Program no longer exists as an operational or funded program within the Division of Public Health.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

**CHAPTER 39 - ADULT HEALTH**

**SUBCHAPTER 39A - CHRONIC DISEASE  
SECTION .0200 - HOME HEALTH SERVICES**

10A NCAC 39A.0201 - .0211 are proposed for repeal as follows:

**10A NCAC 39A .0201 GENERAL**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983;  
Amended Eff. September 1, 1990.

**10A NCAC 39A .0202 DEFINITIONS**

*History Note:* Authority G.S. 130A-223;  
Eff. July 1, 1983;  
Amended Eff. October 1, 1990; September 1, 1990; January 1, 1986; July 1, 1985.

**10A NCAC 39A .0203 REIMBURSEMENT FUNDS**

*History Note:* Authority G.S. 130A-223;  
Eff. July 1, 1983;  
Amended Eff. October 1, 1990.

**10A NCAC 39A .0204 PATIENT FINANCIAL ELIGIBILITY**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983;  
Amended Eff. September 1, 1990; July 1, 1985.

**10A NCAC 39A .0205 COVERED SERVICES**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983.

**10A NCAC 39A .0206 BILLING THE PROGRAM**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983;  
Amended Eff. September 1, 1990; January 1, 1986.

**10A NCAC 39A .0207 RATES OF REIMBURSEMENT**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983;  
Amended Eff. January 1, 1986.

**10A NCAC 39A .0208 REIMBURSEMENT FUNDS: THIRD PARTY PAYORS**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983.

**10A NCAC 39A .0209 MONITORING**

*History Note:* Authority G.S. 130A-223;  
Eff. July 1, 1983;  
Amended Eff. October 1, 1990; September 1, 1990.

**10A NCAC 39A .0210 AUDITS**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. July 1, 1983.

**10A NCAC 39A .0211 SPECIAL PROVISION**

*History Note:* Authority G.S. 130A-5(3); 130A-223;  
Eff. August 1, 1991. August 1, 1991;

**Fiscal Impact:**  
Proposed for Repeal  
**10A NCAC 40A .0104 – 0.105, .0206 -.0208, .0306 - .0310, .0403 - .0404**  
**SCHOOL WATER FLUORIDATION**

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-366

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

**THE FOLLOWING RULES ARE PROPOSED FOR REPEAL AS FOLLOWS:**

**10A NCAC 40A .0104 – 0.105, .0206 -.0208, .0306 - .0310, .0403 - .0404 - SCHOOL WATER FLUORIDATION**

**Background**

The School Water Fluoridation Program no longer exists as an operational or funded program within the Division of Public Health.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

**10A NCAC 40A .0104 – 0.105, .0206 -.0208, .0306 - .0310, .0403 - .0404 ARE PROPOSED FOR REPEAL AS FOLLOWS:**

**SECTION .0100 - PURPOSE**

**10A NCAC 40A .0101    RESERVED FOR FUTURE CODIFICATION**  
**10A NCAC 40A .0102    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0103    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0104    SCHOOL FLUORIDATION INFORMATION**

*History Note:*    *Authority G.S. 130A-366;*  
                          *Eff. November 1, 1990.*

**10A NCAC 40A .0105    DEFINITIONS**

*History Note:*    *Authority G.S. 130A-366;*  
                          *Eff. November 1, 1990.*

**SECTION .0200 - ELIGIBILITY**

**10A NCAC 40A .0201    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0202    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0203    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0204    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0205    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0206    WATER SUPPLY**

*History Note:*    *Authority G.S. 130A-366;*  
                          *Eff. November 1, 1990.*

**10A NCAC 40A .0207    INSPECTION**

*History Note:*    *Authority G.S. 130A-366*  
                          *Eff. November 1, 1990.*

**10A NCAC 40A .0208    APPLICATION AND APPROVAL**

*History Note:*    *Authority G.S. 130A-366;*  
                          *Eff. November 1, 1990.*

**SECTION .0300 - ADMINISTRATION**

**10A NCAC 40A .0301    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0302    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0303    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0304    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0305    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0306    NOTIFICATION**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

**10A NCAC 40A .0307    RENOVATION**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

**10A NCAC 40A .0308    EQUIPMENT AND MAINTENANCE**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

**10A NCAC 40A .0309    TRAINING**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

**10A NCAC 40A .0310    SURVEILLANCE**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

#### **SECTION .0400 - FORMS**

**10A NCAC 40A .0401    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0402    RESERVED FOR FUTURE CODIFICATION**

**10A NCAC 40A .0403    SCHOOL FLUORIDATION AGREEMENT**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990.*

**10A NCAC 40A .0404    WATER ANALYSIS FORM**

*History Note:    Authority G.S. 130A-366;  
                          Eff. November 1, 1990;  
                          Amended Eff. September 1, 1991.*

## **Fiscal Impact:**

Proposed for Repeal

10A NCAC 41A .0502 VACCINE FOR PROVIDERS OTHER THAN LOCAL HEALTH DEPARTMENTS

**Name of Commission:** Commission for Public Health

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**Authority:**

Authority G.S. 130A-433

**Impact Summary:**

*De Minimis*

State government: No

Local government: No

Private industry: No

Substantial impact: No

### **Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RMIP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

### **Background**

Per Section 10.29A(c) of S.L. 2009-451, as enacted by Section 10.13(a) of S.L. 2010-31, State appropriations for vaccines supplied to providers were no longer be available as of the 2010-2011 fiscal year; therefore, this rule is no longer required.

The Joint Conference Committee Report on the Continuation, Expansion and Capital Budgets for SB 387 (June 28, 2010),<sup>1</sup> describes the recurring elimination of State funding for vaccines supplied to providers on page G-6 as follows:

33 Immunization Changes (\$15,894,853) R

Eliminates funding for the purchase of vaccines for which health care providers and local health departments should be billing health insurers for reimbursement. North Carolina health insurers reimburse for the full series of standard immunizations recommended by Centers for Disease Control and Prevention (CDC) and the American Academy of Family Physicians, as well as those required by the North Carolina Immunization Program.

### **Fiscal Impact**

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<sup>1</sup> NC General Assembly. The Joint Conference Committee Report on the Continuation, Expansion and Capital Budgets – SB 387. June 28, 2010.

[http://www.ncleg.net/fiscalresearch/budget\\_legislation/budget\\_legislation\\_pdfs/SB897\\_Joint%20Conference%20Committee%20Report%2006-28-10.pdf](http://www.ncleg.net/fiscalresearch/budget_legislation/budget_legislation_pdfs/SB897_Joint%20Conference%20Committee%20Report%2006-28-10.pdf)

The Division expects the recurring loss of State funding to be permanent, as the Affordable Care Act requires all public and private insurers to provide first-dollar coverage for required vaccinations.<sup>2</sup> Thus, the Division anticipates no impact to local or state agencies, nor to private entities, to result from repealing 10A NCAC 41A .0502.

The proposed repeal of these rules will not require any additional staff or affect staff responsibilities for NC DPH or local entities (public health departments).

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<sup>2</sup>Emily F. Shortridge, Jonathan R. Moore, Heidi Whitmore, Michael J. O'Grady, and Angela K. Shen, *Implications of First-Dollar Coverage: A Qualitative Examination from the Payer Perspective*. Public Health Rep. 2011 May-Jun; 126(3): 394–399. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3072861/>

**10A NCAC 41A .0502 is proposed to be repealed as follows:**

**10A NCAC 41A .0502 VACCINE FOR PROVIDERS OTHER THAN LOCAL HEALTH DEPARTMENTS**

*History Note: Authority G.S. 130A-433;*  
*Temporary Rule Eff. October 5, 1986 for a period of 120 days to expire on February 1, 1987;*  
*Temporary Rule Eff. February 1, 1987 for a period of 120 days to expire on May 31, 1987;*  
*Eff. March 1, 1987;*  
*Temporary Amendment Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988;*  
*Temporary Amendment Eff. August 26, 1992, for a period 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Temporary Amendment Eff. October 1, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;*  
*Amended Eff. October 1, 1995; January 1, 1995; January 4, 1994; January 4, 1993;*  
*Temporary Amendment Eff. December 1, 1998;*  
*Amended Eff. August 1, 2000;*  
*Temporary Amendment Eff. December 1, 2007*  
*Amended Eff. November 1, 2008. November, 1, 2008;*

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC39A .0801-.0810 HOME AND COMMUNITY-BASED HIV HEALTH SERVICES  
PROGRAM

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-223

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC39A .0801-.0810 HOME AND COMMUNITY-BASED HIV HEALTH SERVICES PROGRAM

**Background**

The HOME AND COMMUNITY-BASED HIV HEALTH SERVICES PROGRAM no longer exists as an operational or funded program within the Division of Public Health.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

**SECTION .0800 - HOME AND COMMUNITY-BASED HIV HEALTH SERVICES PROGRAM**

**10A NCAC 39A .0801 GENERAL**

*History Note: Temporary Adoption Eff. January 7, 1991 for a period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.*

**10A NCAC 39A .0802 DEFINITIONS**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.*

**10A NCAC 39A .0803 ELIGIBLE PROVIDERS**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.*

**10A NCAC 39A .0804 FINANCIAL ELIGIBILITY**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
ARRC Objection Lodged January 18, 1991;  
Eff. May 1, 1991.*

**10A NCAC 39A .0805 MEDICAL ELIGIBILITY**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.*

**10A NCAC 39A .0806 BILLING THE HIV HEALTH SERVICES PROGRAM**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
ARRC Objection January 18, 1991;  
Eff. May 1, 1991.*

**10A NCAC 39A .0807 RATES OF REIMBURSEMENT**

*History Note: Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.*

**10A NCAC 39A .0808 REIMBURSEMENT FUNDS: THIRD PARTY PAYORS**

*History Note:* Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.

**10A NCAC 39A .0809 MONITORING**

*History Note:* Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.

**10A NCAC 39A .0810 AUDITS**

*History Note:* Filed as a Temporary Adoption Eff. January 7, 1991 For a Period of 180 Days to Expire on July 6, 1991;  
Authority G.S. 130A-223;  
Eff. May 1, 1991.

**Fiscal Impact:**  
Proposed for Repeal  
10A NCAC41G .0102 FEES FOR RABIES TAGS, LINKS, AND RIVETS

**Name of Commission:** Commission for Public Health

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**Authority:** G.S. 130A-190

**Impact Summary:** *De-Minimas*

State government:	No
Local government:	No
Private industry:	No
Substantial impact:	No

**Repeal of Rules**

In accordance with the Rules Modification and Improvement Program (RIMP) of 2010, the NC Commission for Public Health and the Division of Public Health believe that these rules meet the criteria of EO 70 because the Commission has identified them as being unnecessary.

The following rules are proposed for repeal as follows: 10A NCAC41G .0102 FEES FOR RABIES TAGS, LINKS, AND RIVETS

**Background**

Fees for rabies tags, links, and rivets are no longer required.

**Fiscal Impact**

There is no estimated impact to local or state agencies, nor to private businesses. The proposed repeal of these rules will not require any additional staff or staff cost to the NC DPH or to local entities (public health departments).

10A NCAC41G.0102 is proposed for repeal as follows:

**10A NCAC 41G .0102 FEES FOR RABIES TAGS, LINKS, AND RIVETS**

*History Note:* Authority G.S. 130A-190;  
Eff. January 1, 1982;  
Amended Eff. September 1, 1990;  
Temporary Amendment Eff. July 22, 1997;  
Amended Eff. August 1, 1998;  
Temporary Amendment Eff. May 4, 2001;  
Temporary Amendment Expired February 26, 2002;  
Codifier Objected to findings of need on February 11, 2003;  
Temporary Amendment Eff. February 24, 2003;  
Amended Eff. August 1, 2004.